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In re Application of
Mawby et al.
Application No.: 09/902,023
Filed: July 10, 2001
For: METHOD FOR CONSTRUCTING
A MULTISTORY BUILDING

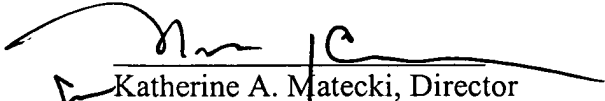
SUA SPONTE
RECISSION OF NOTICE
OF ABANDONMENT

A review of the application reveals that a Final Rejection was mailed out on June 9, 2006. On October 10, 2006, Applicant submitted an After-Final amendment. The examiner sent an Advisory Action on November 28, 2006 indicating that rejections to some of the claims remained. On December 7, 2006, Applicant filed a Supplemental After-Final amendment to overcome all rejections in order to place the application into condition for allowance. The supplemental After-final amendment was mistakenly not made part of the record before the Examiner mailed a Notice of Abandonment on June 28, 2007 for failure to timely file a proper reply.

A review of the Supplemental After-Final amendment reveals that Applicant made all the required amendments to the claims as required by the Examiner in the Final rejection of June 9, 2006. Therefore, if this Supplemental After-Final amendment would have been considered by the Examiner before the mailing of the Abandonment, then the application would have been in condition for allowance.

In view of these facts, the abandonment of the application was clearly improper and is hereby rescinded. The application will revert to pending status in order to send the application to Allowance.

Inquires related to this decision may be directed to J. Allen Shriver at (571) 272-6698.


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KM/jas: 3/30/09

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